IG STICK" SAVES SMOOT FROM DESERVED EXCLUSION

eroic Battle Waged By Ten Million American Women for Purity of the Nation's Homes Suffers a **Temporary Defeat.**

PUBLICAN MACHINE INTERFERES WITH THE ADMINISTRATION OF JUSTICE

nators Uphold Mormon Hierarchy as An "Ideal Christian Organization" and Mendaciously Proclaim That "Polygamy Is Dead."

Special to The Tribune.

WASHINTON, D. C., Feb. 20 .- The United States Senate decided today by a decisive majority, on three distinct roll calls, that it desired to retain Reed Smoot, an aposthe of the Mormon church, as Senator, and an associate. It was the culmination of the long fight waged by ten million heroic women for the vindication of the American home. Their fight failed for the time being. For more than three years they have been knocking at the door of the United States Senate for recognition.

The representatives of these women organizations witnessed the outcome from the gallery today. They heard the Mormon hierarchy held up as an ideal Chrisfian organization. They learned that "polygamy is dead." They recoiled from the scene. They were even rebuked by Senator Albert J. Beveridge of Indiana for daring to make suggestions to the United States Senate as to its personnel. Senator Beveridge told them that the late Sepator Hoar thought people ought to be sent to jail who etitioned the Senate on such a matter as the integrity of is personnel. Then Senator Beveridge likened the case of Smoot to that of Dreyfus, and wilted his collar in an impassioned speech. It all sounded very strange to the moble women who had been under the impression that they live under a representative government and that representatives of the people were accountable to the people for their conduct and their official tenure.

memorable one. The floor of the was seconded with Representatom the House, who came over ness the vote. In the galleries est was occupied, and every inch vilable space was filled. People in the corridors all afternoon gentrance, but they did not get ar nobody yielded.

4 o'clock the Vice President the his gavel down with a sharp and announced that the hour for the had come. Senator Hopkins of was on his feet. He had proa substitute two days ago. inserted in the Burrows resoluof exclusion as an amendment the words, "Resolved, that," ords, "two-thirds of the Senators ring." This invoked the constimie of a two-thirds vote for A roll call was demanded Secator Dubois in a voice that retid through the Senate chamber. in almost breathless silence. It on. The vote was 49 to 22 in spkins appealed to several Southern its under the lead of Builey and man, who felt they could not vote

Vote on the Substitute.

tote on the Hopkins substitute

Aldrich, Allee, Ankenny ge. Brandage. Burkett, Burnpp, Clark (Wyo.), Crane, De-Dick, Dillingham, Dolliver, Flint, Frye, Fulton, Gallinger, Heyburn, Hopkins, Kenn, McCumber, Millard, Mulkey, Nixon, Penrose, Perkins, Piles, Spooner, Sutherland, Warner Warren, Republicans; and Bacon, ira, Carmack, Clark (Mont.), McCreary, Newlands, Overman,

and Tillman, Democrats-49. st; Burrows, Curtis, Dupont, Hansbrough, Hemenway, Kit-La Follette, Long, Smith, Rea; and Berry, Clark (Ark.). lberson, Dubois, Frazier, Lati-McLaurin, Money, Pottus, Raynor

mons, Democrats-22. this vote owere included, not only publicans favorable to Smoot, those Democrats who could not

al of the Smoot case came at | bring themselves to vote to exclude this afternoon, after five by a majority vote. So the result was

> The Hopkins substitute having been adopted, the vote then recurred on a substitute by Mr. Carmack for the pending amended resolution. Mr. Carmack's substitute was as follows: Resolved, That Reed Smoot is hereby expelled from his seat in the United States Senate, as Senator from the State of Utah." As on the former vote, there was a demand for a roll call, that everybody might be put on record. The roll call resulted:

For the resolution: Burrows, Clapp, Hale, Hemenway, Hansbrough, Kitttridge, La Follette and Smith, Republicans; and Bacon, Berry, Carmack, Clark (Ark.), Clay, Culberson, Dubois, Frazier, Latimer, McCreary, McLaurin, Newlands, Overman, Pettus, Money Raynor, Simmons, Stone and Tillman, Democrats-27.

Against the resolution: Aldrich, Allee, Ankenny, Beveridge, Brandage, Bulkfoll call was ordered, and proceeded ley, Burkett, Burnham, Clark (Wyo.), Crane, Curtis, Depew, Dick, Dillingmeant the death of the Burrows ham, Dolliver, Dupont, Flint, Foraker, Frye, Fulton, Gallinger, Gamble, Heyof the substitute. In proposing burn, Hopkins, Kean, Knox, Lodge, Long, McCumber, Millard, Mulkey, Nelson, Nixon, Penrose, Perkins, Piles, Spooner, Sutherland, Warner and Warren, Republicans, and Blackburn, Clark Mont.) and Daniel, Democrats-43,

The Carmack resolution having been rejected, there remained the final vote on the Burrows resolution as amended by the Hopkins substitute. On that a coll call was demanded. This vote was regarded as the real test vote on the

Vote in Detail.

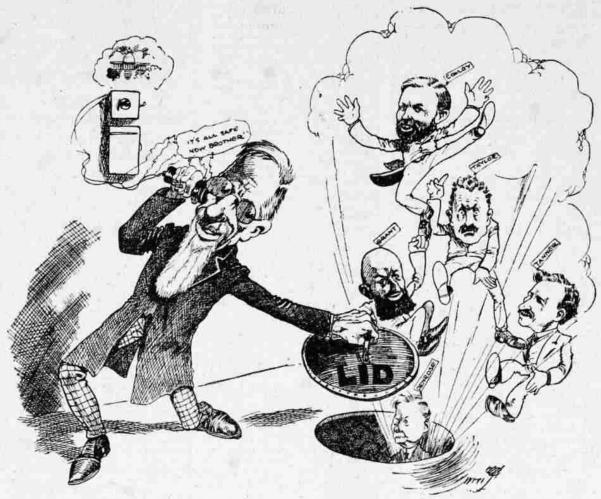
Following is the vote in detail on the Burrows amendment as to Senator Smoot not being entitled to his seat:

Yeas-Bacon, Berry, Burrows, Carmack, Clapp, Clark (Ark.), Clay, Culberson, Dubois, Dupout, Frazier, Hale, Hansbrough, Hemenway, Kittredge, La-Follette, Lattimer, McCreery, McLaurin, Money, Newlands, Overman, Pettus, Raynor, Simmons, Smith, Stone, Till-

Nays-Aldrich, Allee, Ankeny, Beveridge. Blackburn, Brandage, Bulkley, Burkett, Burnham, Clark (Mout.), Clark (Wyo.), Crane, Curtis, Daniel, Depew,

Continued on Page 3.





OFFICERS ELECTED FOR L. D. S. TEAMS

Spirited Meeting Was Held and Athletes of Last Season Were Present.

All is in order for spring athletics the Latter-day Saints university. The spring work was given a start yesterday by the holding of a meeting which has not been equalled for spirit since the founding of the school. The purpose of the meeting was to elect a track captain and manager for the present season, but it developed into a genuine spirited college meeting. Coach E. J. Milne acted as chairman while the election was going on. For captain of the team, McCallister was elected, and for manager, F. W. Otterstrom, McCallister was most certainly the man for the position. He is known at the school as a good all around athlete, and it is expected that he will this year make an exceptionally good record for himself. Last year in the State track meet he won the 100 and 220 vard dashes for the school, and the year before he did some equally good perform-The spring work was given a start yesfore he did some equally good performing. This year it is said that he is do ing some remarkable sprinting. Coach Milne said vesterday that active training had been started, and the men were setting the men were setting the said vesterday that active training had been started, and the men were setting the said that the said training had been started. getting in good shape, ception of Joe Smith, putter and hammer thrower, they have their full last year's team back again this year. Beside the old men there is any amount of good material in the freshman class, which will no doubt make good when the time comes. In all there are about a dozen new men. Some of the best-known of the last year's men are the Ferry brothers, the short distance are interested. year's men are the Perry brothers, the short distance sprinters, and Wooley and Bateman, the long distance men. This state of affairs has filled the bows and Coach Milne with hope that the L. D. S. U. will play a prominent part in the State meet this year. The boys have been working up to the present time on the lawns to the front of the school, but they will begin to look for a new place in the course of a day or two. It is expected that they will get the fair grounds to train on. the fair grounds to train on.

Results at Oaklawn.

HOT SPRINGS. Feb. 20. Following the results of roday's racing at Oak-First race, three and one-half fur-ongs, selling Erubus won, Water Lock econd, William Bissett third. Time, 43

seconds.

Second race, six furlongs—Doc Kyle won, Dr. Lee Huffman second. Sir Vagrant third. Time 1-15.

Third race, mile, selling—Atlas won, Check Morgan second, Tennyburn third.

Special to The Tribune.

terribly in earnest."

NEGRO MURDERER CONDEMNED TO DIE

A. T. Day Will Be Shot in State Prison Yard on Friday, April 19.

HE HEARS HIS DOOM WITHOUT ANY EMOTION

Slaver Is Taken to Penitentiary. Where He Is Confined in "Death Row."

A. T. Day, the colored slayer of Horace H. Voss, will be heet to death in the State prison yard sometime between sunrise and sunset on Friday, April 19. Such was the sentence pronounced upon him yesterday by Judge George G. Armstrong in the District court. Not a muscle of the condemned negro's face changed as he heard his doom pronounced, and a few moments later, as he was going out of the courtroom, he exchanged a joke with Deputy Sheriff Ike Emery about his hat.

Day was brought into court at 10 o'clock vesterday morning for sentence. His attorney, Walter W. Little, filed a formal motion for a new trial, and said he would submit it to the court without argument. The court thereupon denied the motion, and then asked Day if he had anything to say before sentence was pronounced upon.

Day stood up and faced the court. 'I don't think, your honor,' he said. 'that I'm guilty of murder in the first degree. The jury says I am, though, and I guess I'll have to stand for it. ight into

degree. The jury says I am, though, and I guess I'll have to stand for it. Judge Armstrong then informed Day that, under the laws of Utah, he had a right to choose whether he would be hanged until dead or shot to death.

I'll tak shooting, 'responded the prisoner nonchalantly, and then Judge Armstrong pronounced the death sen tence upon him. The courtroom was

tence upon him. The courtroom was deathly still as the court prescribed the hingest penalty which can be inflicted under the law, but Day was apparently

Immediately after the sentence Day was taken to the State prison. There he was placed in "death row," where he will be confined under the care of a death watch until the day of execu-tion. He is the only condemned nur-derer in the prison. Prior to the day of execution his attorney will probably either appeal to the Supreme Court of Time, 1:44.

Fourth race, mile—Bercher won, Sky-ward second, Fox Hall third. Time, 1:42, seek to have Day's sentence commuted.

FIGHT ON POLYGAMY HAS ONLY BEGUN

WASHINGTON, D. C., Feb. 20 .- "The fight has only begun," said Senator

"Tomorrow I will introduce the resolution for a constitutional amendment

J. C. Burrows of Michigan, chairman of the Senate Committee on Privileges

against polygamy, and ask for its reference. The vote today will touch the

moral conscience of the people of this country as nothing has done since the old

compromises with slavery. There will be an echo from this day's work. There

will be personal political careers in which this day will mark a distinct phase.

The Christian sentiment of this country needed to be aroused. This will arouse

it. When the women of the United States are in earnest for reform they are

The resolution will be offered as a direct result of the vote today. Repre-

sentative Charles B. Landis of Indiana, who was an interested spectator of the

vote today in the Senate, will introduce a similar resolution in the House.

and Elections, just after the vote on the Smoot case today.

INCREASED PAY FOR POSTAL EMPLOYES

Appropriation Bill Carrying Provisions for Higher Salaries Passes House.

WASHINGTON, Feb. 20 .- The post office appropriation bill, the largest ever reported by the Committee on Postoffices and Postroads, passed the House today. All the provisions relating to increased pay, affecting 90 per cent of the postal employes, which yesterday were stricken out on points of order, were today restored to the bill. This was accomplished by a rule presented by the Committee on Rules, after the bill had been reported to the House by the Committee of the Whole. Points of order were the feature of the day, the battle over the provisions in the bill continuing throughout the session. At 6:15 o'clock p. m. the House ad-journed until tomorrow.

pecial to The Tribune work on the mine. Mr. Anderson states that there is already several hundred dellars' worth of ore ready for shipment. This ore runs \$100 per ton.

to life imprisonment. As yet Attorney Little has not disclosed his plans in this

Day is 44 years old. He is a native of Tennessee and is said to have a wife and family, from whom he is separated, in Texas. Day had lived in Salt Lake for only a few months prior to the kill-ing. He worked for awhile on the Salt lake railroad as a Pullman porter.
Later he was employed as a watter at
the Elks' club. He has also been employed by J. R. Walker and some other
Salt Lake men as coachman at inter-

Will Develop Mine.

SPRINGVILLE, Feb. 12.—John P. Anderson, president and manager of the Copper Bell Mining company, whose claim is in the Dugway district, loft here yesterday for the mine with six

respect.

Day killed Voss, who was also a negro, on Sunday, Oct. 14, 1906. The testimony at his trial showed that the shooting was a cold-bloomed affair. The shooting was a cold-blooded affair. The night previous to the killing Day had a fight with a nelderly negro named Matthew Edwards. The next day Voss, who was a sort of leader among the colored people, met Day and reproached him for his treatment of Edwards. Dayaccording to the testimony, followed Voss into Edwards's house and shot him

MRS. THAW SPENDS ENTIRE DAY UNDER JEROME'S FIRE

District Attorney Is Probing Deeply Into Past Life of Young Actress Who Married Slayer of Stanford White.

PROVES THAT WHITE FURNISHED HER WITH TWENTY-FIVE DOLLARS A WEEK

Prosecutor Shows No Mercy In Digging Up Scandals That Entered Into Life of Young Woman On the Stand.

NEW YORK, Feb. 20 .- In continuing his cross-examination of Mrs. Evelyn Thaw today at the trial of her husband, District Attorney Jerome brought out the fact that in 1902 Stanford White deposited the sum of \$1350 with a New York trust company, with instructions that it should be paid to Evelyn Nesbit at the rate of \$25 per week. Mrs. Thaw frankly admitted receiving a number of checks from the trust company, but she would not admit that there was a provision that she should receive the money only when out of employment. The prosecutor spent nearly the entire afternoon in trying to make Mrs. Thaw admit that this was true, but as often and in as many ways as he put the question to her she gave the one answer, "I don't remember."

Mrs. Thaw's inability to remember a number of other things about which Mr. Jerome questioned her was by far the most material element in the cross-examination. The District Attorney delved into her past life with a familiarity as to details and a store of general knowledge which at times seemed to amaze all who heard, not excepting the defendant's counsel themselves.

Mr. Jerome indicated early in his | Thaw's story, and one mestioning that he had no disposition life to another in o spare Mrs. Thaw's feelings in any baffled any attempt to tell how far he way. He interrogated her most point. had progressed with his attack. He apedly as to ber men acquaintances of the past. He laid special stress upon her acquaintance with James A. Garland, who figured for the first time in the Mrs. Thaw said she knew Garland before she met White.

ent in the Garland divorce case?" asked Mr. Jerome.

Mrs. Thaw was shaking her head when Mr. Delmas quickly objected. He demanded that the record of the divorce case be brought into court, that it might speak for itself. Justice Fitzgerald overruled the objection, but Mr. Jerome withdrew the question.

Mr. Jerome questioned the witness about her manner of posing for artists, and brought from her a denial that she ever posed in the nude. Mr. Jerome did not mince words. Many photographs of Mrs. Thaw were introduced in evidence. Mr. Jerome during the morning session plied the young woman with questions as to what disposition she had made of the letters writen to her by Stanford White.

What Became of Letters.

Some, she said, had been destroyed and some she had given to her husband. When the District Attorney was pressing for an answer as to what had beome of some of the letters Thaw leaned far over and whispered to his counsel n a voice audible to those nearest him: "Stanford White stole them."

Attorney O'Really thereupon said: "Stanford White got them." "If counsel desires to testify we will

be very glad to have him do it," Mr. Jerome remarked sarcastically, Later Mr. Jerome indicated that he had in his possession a number of letters written by Stanford White to Eyelyn Neshit saying he would show her brighten her memory. He changed his

mind, however, and the letters were not

produced. Mr. Jerome demanded that

Thaw's counsel deliver to the court the Stanford White letters, but they made no response. Mr. Jerome was assisted materially in his cross-examination by typewritten statements made by Mrs. Thaw's

parently intends to take every advantage of the ruling of yesterday, which allows him wide latitude in testing the credibility of the witness.

Mr. Delmas, contrary to expectations, interposed few objections. He is evidently preparing, however, for an extended redirect examination, and this, together with Mr. Jerome's cross-examination on the redirect, promises to keep the prisoner's wife on the witness stand for an indefinite period.

Mrs. Thaw seemed perfectly selfpossessed at every stage of the crossexamination. At times her voice trembled, but almost always it was clear and emphatic. She fenced with the prosecutor continuously, corrected him at times as to assumptions drawn from previous answers, and occasionally told him his questions were entirely too long to permit of a proper answer. The young woman seemed to be swaved by the District Attorney's mood. When his voice was soft and perhaps insinuating, she answered in the same low tone. When Mr. Jerome would become aroused and snap questions at her in a loud voice, she replied in kind. When the prosecutor would persist with a question she had answered two of three times, Mrs. Thaw would finally reply with an emphasis on each word, spacing slowly, distinctly and definitely.

The defendant was always alert to catch every word. He seemd impatient at the nature of some of the questions put by the prosecutor, and kept a running fire of whispered comment with his atornevs.

Great Crush at Courtroom.

There was a great rush of people to see Evelyn Nesbit Thaw under the ordeal of cross-examination at courts biulding this morning, but only those provided with special credentials from the court were permitted to enter the letters to see if they would not the room where the trial of Harry K. Thaw is in progress. Even under these restrictions, however, every available seat was occupied as court convened. Justice Fitzgerald permits no one to stand.

District Attorney Jerome was early is the court room preparing for his day's

Mr. Delmas was a few minutes late in reaching the courtroom. He came up behind Mr. Thaw, who sat in his accusmother and by Howard Nesbit, her brother. He consulted the statements from time to time, and Mr. Delmas let this fact become known to the jury by remarking upon it.

May Take Several Days.

Mr. Jerome's cross-examination may require several days yet. He jumped about today from one parts of Mrs.

Mr. Behind Mr. Thaw who sat in his accustomed chair, and patted him affectionately pront he back. Thaw smiled up at him, and for a moment the, whispered together, each with his arm about the other's shoulders.

Mrs. Evelyn Thaw was immediately recalled that Mr. Jerome might continue his cross-examination. She was dressed precisely as she has been on every day since the trial began. Her face slightly flushed as she took her place in the witness chair with her usual little smile for her husband.

Mr. Pebras proved his chair, inside the

about today from one part of Mrs. Mr. Debras moved his chair inside the